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Hiroko Ohishi

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SCULLY SCOTT MURPHY & PRESSER, PC

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EXAMINER

RAJ, RAJIV J

ART UNIT

PAPER NUMBER

3626

MAIL DATE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/723,228

**Applicant(s)**

OHISHI, HIROKO

**Examiner**

RAJIV J. RAJ

**Art Unit**

3626

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2, 4, 5, 8-10, 12, 13 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 5, 8-10, 12, 13 and 18-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 26 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### Status of Claims

1. This action is in reply to the amendment filed on 17 April 2008.
2. Claims 1, 9, 12, and 18 have been amended.
3. Claims 19-22 have been added.
4. Claims 3, 6, 7, 11, and 14-17 have been canceled.
5. Claims 1, 2, 4, 5, 8-10, 12, 13, and 18-22 are currently pending and have been examined.

### Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. In light of Application's amendment of claims 12, which now states " . . . *tangibly embodied on a computer-readable storage medium* . . . ", the previous rejection is withdrawn.

### Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

10. Claims 1, 2, 4, 5, 8-10, 12, 13, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein (US 200100021910) (hereinafter Goldstein) in view of Jeacock et al. (US 6014630) (hereinafter Jeacock) in further view of Edelson et al. (US 5737539) (hereinafter Edelson).

**As per claim 1**, Goldstein teaches a system assisting in services rendered in a medical institution, the system including:

- *a preprocedure information inputting unit for inputting preprocedure information comprising at least one of a type of a drug used for a preprocedure performed before an examination is conducted, an amount of the drug, an appliance used for the preprocedure, and a name of a person who performs the preprocedure* (see at least Goldstein [0057] "As information is obtained from patient prospects and patients, and from the medical practitioner's office, it may be entered into and retrieved from the system through various forms of input/output devices operatively connected to the main processing unit 10 and each of the remote CPUs 16")
- *a condition inputting unit for displaying the preprocedure information and inputting patient condition information, including information indicating a condition of the patient after the preprocedure;* (see at least Goldstein [0057] "As information is obtained from patient prospects and patients, and from the medical practitioner's office, it may be entered into and retrieved from the system through various forms of input/output devices operatively connected to the main processing unit 10 and each of the remote CPUs 16, such as typing on keyboards, speech to text transcription methods, use of digitizers and scanners and other known methods. Information is displayed in various formats and can be viewed on the display devices 12 and 17 or printed using printers 13 and 18.")
- *a storing unit correlating and storing the preprocedure information, the patient condition information, and a time of the preprocedure.* (see at least Goldstein [0054] "in a preferred embodiment includes, at the system representation end, a main processing unit 10 with data storage capability,")

Goldstein does not disclose the following limitations, however Jeacock, as shown does:

- *a first abnormality information indicating presence/absence of an abnormality of a patient; (see at least Jeacock Column:3 Lines26-28 "(d) Questions on particular problems, such as allergies, and whether existing medications should be discontinued.")*
- *a second abnormality information indicating the presence/absence of an abnormality of a patient; (see at least Jeacock Column:3 Lines26-28)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features to Goldstein. One of ordinary skill in the art would have added these features into Goldstein with the motivation to create a more effective and accurate process for producing and modifying patient information. (see at least Jeacock Column:1 Lines:30-32)

Goldstein/Jeacock does not disclose the following limitations, however Edelson, as shown does:

- *an examination reservation displaying unit displaying a list of examination reservation information, which is reservation information of the examination; and (see at least Edelson Fig:2-5, & related text)*
- *a display controlling unit controlling a display form of the examination reservation information displayed on the examination reservation displaying unit, based on the patient condition information. wherein (see at least Edelson Fig:2-5, & related text)*
- *the display controlling unit displays one or more of the examination reservation information from among the examination reservation information displayed in the list, said one or more examination reservation information corresponding to the patient condition information having the first or the second abnormality information indicating the abnormality is occurring in the condition of the patient. (see at least Edelson Fig:2-5, 10, 13 & related text)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features to Goldstein/Jeacock. One of ordinary skill in the art would have added these features into Goldstein/Jeacock with the motivation providing effective and cost-efficient way to access, view, modify, and update patient information, to improve the quality of patient healthcare. (see at least Edelson Column:1 Lines:31-38)

**As per claim 2**, Goldstein/Jeacock/Edelson as shown, disclose the limitations of claims 1. Goldstein further discloses the following limitation:

- *a correlated information presenting unit presenting a correlation among the preprocedure information, the patient condition information, and the time of the preprocedure, which are stored in the storing unit.* (see at least Goldstein [0046] "means for scheduling and coordinating pre and post-operative medical appointments and procedures between patients and medical practitioners; means for receiving, processing and delivering pre and post procedure care orders and medicament prescriptions from medical practitioners to patients;" )

**As per claim 4**, Goldstein/Jeacock/Edelson as shown, disclose the limitations of claims 1. Edelson further discloses the following limitation:

- *the preprocedure information inputting unit is a portable terminal.* (see at least Edelson Column:7 Lines: 43-48) "The prescription management system shown in this embodiment of the invention has been designed for implementation on physically compact, portable, user-interface devices such as small portable personal computers, especially hand held devices known as personal digital assistants.")

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature to Goldstein/Jeacock/Edelson. One of ordinary skill in the art would have added these features into Goldstein/Jeacock/Edelson with the motivation providing effective and cost-efficient way to access, view, modify, and update patient information, to improve the quality of patient healthcare. (see at least Edelson Column:1 Lines:31-38)

**As per claim 5**, Goldstein/Jeacock/Edelson as shown, disclose the limitations of claims 1. Edelson further discloses the following limitation:

- *preprocedure information inputting unit is a portable reading device.* (see at least Edelson Column:7 Lines: 43-48 and 3 Read in view of the applicants specification, (Ohishi [0030]) which states that "a PDA (Personal Digital Assistant) may be available as the portable reading device.")

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature to Goldstein/Jeacock/Edelson. One of ordinary skill in the art would have added these features into Goldstein/Jeacock/Edelson with the motivation providing effective and cost-efficient way to access, view, modify, and update patient information, to improve the quality of patient healthcare. (see at least Edelson Column:1 Lines:31-38)

**As per claim 8**, Goldstein/Jeacock/Edelson as shown, disclose the limitations of claims 1. Goldstein further discloses the following limitations:

- *a history information displaying unit displaying a history of the patient condition* (see at least Goldstein [0061])
- *information stored in the storing unit* (see at least Goldstein [0071] "The system contains hardware and software components to capture 26 and store 30")

**As per claim 9**, Goldstein teaches a system assisting in services rendered in a medical institution, the system including:

- *inputting preprocedure information comprising of at least one of a type of a drug used for a preprocedure performed before an examination is conducted, an amount of the drug*, (see at least Goldstein [0057])
- *inputting patient condition information, including information indicating a condition of the patient after the preprocedure;* (see at least Goldstein [0057])
- *correlating and storing the preprocedure information, the patient condition information, and a time of the preprocedure.* (see at least Goldstein [0054])

Goldstein does not disclose the following limitations, however Jeacock, as shown does:

- *an appliance used for the preprocedure, a name of a person who performs the preprocedure* (see at least Jeacock Column 3 Lines: 20-25 & 31-34 "A typical individualized patient document would include: (a) The name of the procedure to be undertaken. (b) The patient's and doctor's names, with necessary telephone numbers. (c) Tests which must be performed in advance, giving times and locations. (f) Type of anesthesia to be used, its effects, and the

length of the procedure. (g) Information as to after effects, discomfort, healing time, and post-procedure medications.)

- *a first abnormality information indicating presence/absence of an abnormality of a patient;* (see at least Jeacock Column:3 Lines26-28 "(d) Questions on particular problems, such as allergies, and whether existing medications should be discontinued.")
- *a second abnormality information indicating the presence/absence of an abnormality of a patient;* (see at least Jeacock Column:3 Lines26-28)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features to Goldstein. One of ordinary skill in the art would have added these features into Goldstein with the motivation to create a more effective and accurate process for producing and modifying patient information. (see at least Jeacock Column:1 Lines:30-32)

Goldstein/Jeacock does not disclose the following limitations, however Edelson, as shown does:

- *displaying a list of examination reservation information, which is reservation information of the examination* (see at least Edelson Fig:2-5, & related text)
- *controlling a display form of the displayed examination reservation information, based on the patient condition information* (see at least Edelson Fig:2-5, & related text)
- *the displayed examination reservation information is from among the examination reservation information displayed in the list, said displayed examination reservation information corresponding to the patient condition information having the first or the second abnormality information indicating the abnormality is occurring in the condition of the patient* (see at least Edelson Fig:2-5, 10, 13 & related text)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features to Goldstein/Jeacock. One of ordinary skill in the art would have added these features into Goldstein/Jeacock with the motivation providing effective and cost-efficient way to access, view, modify, and update patient information, to improve the quality of patient healthcare. (see at least Edelson Column:1 Lines:31-38)



**As per claim 10**, Goldstein/Jeacock/Edelson as shown, disclose the limitations of claims 9.

Goldstein further discloses the following limitations:

- *presenting a correlation among the preprocedure information, the patient condition information, and the time of the preprocedure, which are stored.* (see at least Goldstein [0046])

**As per claim 12**, Goldstein teaches a system assisting in services rendered in a medical institution, the system including:

- *inputting preprocedure information comprising of at least one of a type of a drug used for a preprocedure performed before an examination is conducted, an amount of the drug,* (see at least Goldstein [0057])
- *inputting patient condition information, including information indicating a condition of the patient after the preprocedure;* (see at least Goldstein [0057])
- *correlating and storing the preprocedure information, the patient condition information, and a time of the preprocedure.* (see at least Goldstein [0054])

Goldstein does not disclose the following limitations, however Jeacock, as shown does:

- *an appliance used for the preprocedure, a name of a person who performs the preprocedure* (see at least Jeacock Column 3 Lines: 20-25 & 31-34)
- *a first abnormality information indicating presence/absence of an abnormality of a patient;* (see at least Jeacock Column:3 Lines26-28 "(d) Questions on particular problems, such as allergies, and whether existing medications should be discontinued.")
- *a second abnormality information indicating the presence/absence of an abnormality of a patient;* (see at least Jeacock Column:3 Lines26-28)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features to Goldstein. One of ordinary skill in the art would have added these features into Goldstein with the motivation to create a more effective and accurate process for producing and modifying patient information. (see at least Jeacock Column:1 Lines:30-32)

Goldstein/Jeacock does not disclose the following limitations, however Edelson, as shown does:

Art Unit: 3626

- *displaying a list of examination reservation information, which is reservation information of the examination (see at least Edelson Fig:2-5, & related text)*
- *controlling a display form of the displayed examination reservation information, based on the patient condition information (see at least Edelson Fig:2-5, & related text)*
- *the displayed examination reservation information is from among the examination reservation information displayed in the list, said displayed examination reservation information corresponding to the patient condition information having the first or the second abnormality information indicating the abnormality is occurring in the condition of the patient (see at least Edelson Fig:2-5, 10, 13 & related text)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features to Goldstein/Jeacock. One of ordinary skill in the art would have added these features into Goldstein/Jeacock with the motivation providing effective and cost-efficient way to access, view, modify, and update patient information, to improve the quality of patient healthcare. (see at least Edelson Column:1 Lines:31-38)

**As per claim 13**, Goldstein/Jeacock/Edelson as shown, disclose the limitations of claims 12.

Goldstein further discloses the following limitations:

- *presenting a correlation among the preprocedure information, the patient condition information, and the time of the preprocedure, which are stored. (see at least Goldstein [0046])*

**As per claim 18**, Goldstein teaches a system assisting in services rendered in a medical institution, the system including:

- *a preprocedure information inputting unit for inputting preprocedure information comprising at least one of a type of a drug used for a preprocedure performed before an examination is conducted, an amount of the drug, an appliance used for the preprocedure, and a name of a person who performs the preprocedure (see at least Goldstein [0057])*
- *a condition inputting unit for displaying the preprocedure information and inputting patient condition information, including information indicating a condition of the patient after the preprocedure; (see at least Goldstein [0057] "As information is obtained from patient*

prospects and patients, and from the medical practitioner's office, it may be entered into and retrieved from the system through various forms of input/output devices operatively connected to the main processing unit 10 and each of the remote CPUs 16, such as typing on keyboards, speech to text transcription methods, use of digitizers and scanners and other known methods. Information is displayed in various formats and can be viewed on the display devices 12 and 17 or printed using printers 13 and 18.")

- *a storing unit correlating and storing the preprocedure information, the patient condition information, and a time of the preprocedure.* (see at least Goldstein [0054] "in a preferred embodiment includes, at the system representation end, a main processing unit 10 with data storage capability,")

Goldstein does not disclose the following limitations, however Jeacock, as shown does:

- *a first abnormality information indicating presence/absence of an abnormality of a patient;* (see at least Jeacock Column:3 Lines26-28 "(d) Questions on particular problems, such as allergies, and whether existing medications should be discontinued.")
- *a second abnormality information indicating the presence/absence of an abnormality of a patient;* (see at least Jeacock Column:3 Lines26-28)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features to Goldstein. One of ordinary skill in the art would have added these features into Goldstein with the motivation to create a more effective and accurate process for producing and modifying patient information. (see at least Jeacock Column:1 Lines:30-32)

Goldstein/Jeacock does not disclose the following limitations, however Edelson, as shown does:

- *an examination reservation displaying unit displaying a list of examination reservation information, which is reservation information of the examination; and* (see at least Edelson Fig:2-5, & related text)
- *a display controlling unit controlling a display form of the examination reservation information displayed on the examination reservation displaying unit, based on the patient condition information. wherein* (see at least Edelson Fig:2-5, & related text)

Art Unit: 3626

- *the display controlling unit displays one or more of the examination reservation information from among the examination reservation information displayed in the list, said one or more examination reservation information corresponding to the patient condition information having the first or the second abnormality information indicating the abnormality is occurring in the condition of the patient.* (see at least Edelson Fig:2-5, 10, 13 & related text)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features to Goldstein/Jeacock. One of ordinary skill in the art would have added these features into Goldstein/Jeacock with the motivation providing effective and cost-efficient way to access, view, modify, and update patient information, to improve the quality of patient healthcare. (see at least Edelson Column:1 Lines:31-38)

11. Claims 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein (in view of Jeacock, in view of Edelson, in further view of Dulong et al. (US 6541902 B2) (hereinafter Dulong).

**As per claim 19**, Claim 19 contains substantially similar limitations to claim 1 and is therefore rejected for the same reasons given in regards to claim 1. Goldstein/Jeacock/Edelson as shown, disclose the limitations of claims 1. Claim 19 recites the additional limitation of:

- *in reverse video* (Design Choice)

*In reverse video* is a design that is a mere matter of choice in ornamentality and produces no new mechanical effect or advantage does not constitute invention and "Counsel for appellant also present arguments relating to the proportioning and tightness of fit of appellant's devices. Those matters are considered to involve mechanical skill only and to produce no such new or unexpected result as would justify the allowance of the appealed claims." See, *In re Seid*, 161 F.2d 229, 231, 73 USPQ 431, 433 (CCPA 1947)

Claim 19 also recites the limitation of:

- *displayed in a popup window when a cursor is positioned on the examination reservation information displayed in reverse video* (see at least Dulong Column:14 Lines:30-33 "a pop-up window containing the entire medication description may be displayed when the display cursor is placed over any listed medication/order" )

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features to Goldstein/Jeacock/Edelson. One of ordinary skill in the art would have added these features into Goldstein/Jeacock/Edelson with the motivation providing effective and accurate way to display medical information, to improve the quality of patient healthcare. (see at least Dulong Column:2 Lines:45-50)

**As per claim 20**, Claim 20 contains substantially similar limitations to claim 9 and is therefore rejected for the same reasons given in regards to claim 9. Goldstein/Jeacock/Edelson as shown, disclose the limitations of claims 9. Claim 20 recites the additional limitation of:

- *in reverse video* (Design Choice)

*In reverse video* is a design that is a mere matter of choice in ornamentality and produces no new mechanical effect or advantage does not constitute invention and "Counsel for appellant also present arguments relating to the proportioning and tightness of fit of appellant's devices. Those matters are considered to involve mechanical skill only and to produce no such new or unexpected result as would justify the allowance of the appealed claims." See, *In re Seid*, 161 F.2d 229, 231, 73 USPQ 431, 433 (CCPA 1947)

Claim 20 also recites the limitation of:

- *displayed in a popup window when a cursor is positioned on the examination reservation information displayed in reverse video* (see at least Dulong Column:14 Lines:30-33 "a popup window containing the entire medication description may be displayed when the display cursor is placed over any listed medication/order" )

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features to Goldstein/Jeacock/Edelson. One of ordinary skill in the art would have added these features into Goldstein/Jeacock/Edelson with the motivation providing effective and accurate way to display medical information, to improve the quality of patient healthcare. (see at least Dulong Column:2 Lines:45-50)

**As per claim 21**, Claim 21 contains substantially similar limitations to claim 12 and is therefore rejected for the same reasons given in regards to claim 12. Goldstein/Jeacock/Edelson as shown, disclose the limitations of claims 12. Claim 21 recites the additional limitation of:

- *in reverse video* (Design Choice)

*In reverse video* is a design that is a mere matter of choice in ornamentality and produces no new mechanical effect or advantage does not constitute invention and "Counsel for appellant also present arguments relating to the proportioning and tightness of fit of appellant's devices. Those matters are considered to involve mechanical skill only and to produce no such new or unexpected result as would justify the allowance of the appealed claims." See, *In re Seid*, 161 F.2d 229, 231, 73 USPQ 431, 433 (CCPA 1947)

Claim 21 also recites the limitation of:

- *displayed in a popup window when a cursor is positioned on the examination reservation information displayed in reverse video* (see at least Dulong Column:14 Lines:30-33 "a pop-up window containing the entire medication description may be displayed when the display cursor is placed over any listed medication/order" )

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features to Goldstein/Jeacock/Edelson. One of ordinary skill in the art would have added these features into Goldstein/Jeacock/Edelson with the motivation providing effective and accurate way to display medical information, to improve the quality of patient healthcare. (see at least Dulong Column:2 Lines:45-50)

**As per claim 22**, Claim 22 contains substantially similar limitations to claim 18 and is therefore rejected for the same reasons given in regards to claim 18. Goldstein/Jeacock/Edelson as shown, disclose the limitations of claims 18. Claim 22 recites the additional limitation of:

- *in reverse video* (Design Choice)

*In reverse video* is a design that is a mere matter of choice in ornamentality and produces no new mechanical effect or advantage does not constitute invention and "Counsel for appellant also present arguments relating to the proportioning and tightness of fit of appellant's devices. Those matters are

Art Unit: 3626

considered to involve mechanical skill only and to produce no such new or unexpected result as would justify the allowance of the appealed claims." See, *In re Seid*, 161 F.2d 229, 231, 73 USPQ 431, 433 (CCPA 1947)

Claim 22 also recites the limitation of:

- *displayed in a popup window when a cursor is positioned on the examination reservation information displayed in reverse video* (see at least Dulong Column:14 Lines:30-33 "a pop-up window containing the entire medication description may be displayed when the display cursor is placed over any listed medication/order" )

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features to Goldstein/Jeacock/Edelson. One of ordinary skill in the art would have added these features into Goldstein/Jeacock/Edelson with the motivation providing effective and accurate way to display medical information, to improve the quality of patient healthcare. (see at least Dulong Column:2 Lines:45-50)

### **Response to Arguments**

12. Applicant's arguments received on 17 April 2008 have been fully considered but they are not persuasive. Applicants' arguments will be addressed herein below in the order in which they appear in the response filed 17 April 2008.
13. In response to Applicant's argument, it is respectfully submitted that the Examiner has applied new prior art to amended claim, 1, 9, 12, & 18, as well as added claims 19-22. The Examiner notes that the amended and added claims were not in the previously pending claims as such, Applicant's remarks with regard to the applications of the prior art used in the first Non-Final Office Actions to the amended and added claims are moot in light of the addition of the newly cited prior art references as disclosed above.

### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAJIV J. RAJ whose telephone number is (571)270-3930. The examiner can normally be reached on Monday thru Friday 8-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Luke Gilligan can be reached on (571)272-6770. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Art Unit: 3626

/Rajiv J. Raj/, Art Unit 3626

June 2, 2008

/C Luke Gilligan/

Supervisory Patent Examiner, Art Unit 3626